IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 1069 OF 2005
IN
L.A.R. NO. 4 OF 1994

Divisional Controller, Palghar Division] .. Appellants
M.S.R.T.C.](Ori.Acq.Body)

Versus

1. Janardhan Laxman Patil & 2 ors.] .. Respondents
(Ori.Claimants)

Mr. C.M. Lokesh i/b M/s. G.S. Hegde & Associates for the appellants.

Mr. C.M. Korde, senior counsel with Mr. Milind Jadhav i/b Pravin Mehta & Mithi & Co. for the original claimants.

CORAM: R.M. LODHA, &
S.A. BOBDE, JJ.

DATED: 14TH DECEMBER, 2006

P.C. :

. Mr. C.M. Lokesh, the Advocate for the appellants submits that Mr. G.S. Hegde, Advocate is to argue the matter and since he is held up in some other Court, he prays for adjournment.

2. We find no justifiable reason to adjourn the matter. We asked Mr. C.M. Lokesh, Advocate, to proceed with the arguments. He did not do so. In the

circumstances, we are constrained to dismiss the Appeal for want of prosecution.

3. Appeal is dismissed accordingly.

4. Upon dismissal of the Appeal, the claimants shall be entitled to withdraw the amount deposited by the appellants before this Court.

Sd/-
[R.M. LODHA, J.]

Sd/-
[S.A. BOBDE, J.]